

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

**UNITED FINANCIAL CASUALTY
COMPANY,**

**Plaintiff,
vs.**

**BRADY C. GREENWALDT d/b/a BCG
TRUCKING; LAMBRECHT LIVESTOCK
TRUCKING, INC.; AMERICAN FOODS
GROUP, LLC; GIBBON PACKING, LLC;
IRSIK EQUITIES, LP; and IRSIK FAMILY
PARTNERSHIP;**

Defendants.

4:24CV3235

ORDER TO SHOW CAUSE

This matter comes before the court after a review of the docket and pursuant to NECivR [41.2](#), which states in relevant part: “At any time, after appropriate notice, a case not being prosecuted with reasonable diligence may be dismissed for lack of prosecution.”

Plaintiff filed the Complaint on December 19, 2024. (Filing No. 1). On April 2, 2025, the Court entered an Order to Show Cause (Filing No. 9) because more than 90-days had elapsed since the Complaint was filed, and Plaintiff had not demonstrated the defendants were served with process under Rule 4(m) of the Federal Rules of Civil Procedure. On April 3, 2025, Plaintiff filed summons returns purporting to show the defendants were served between February 4 and February 7, 2025. (Filing Nos. 10-15). On April 21, 2025, Plaintiff filed a Response to the Court’s Order to Show Cause, asking that the answer deadline for the Defendants be set for 21-days from the discharge of the Court’s order to show cause. (Filing No. 22). On the same date, the Court entered a text order terminating the show cause deadline. (Filing No. 23).

On May 9, 2025, Defendants, Lambrecht Livestock Trucking, Inc., American Foods Group, LLC and Gibbon Packing, LLC, filed an answer to the Complaint. (Filing No. 24). However, Defendants, Brady C. Greenwaldt, Irsik Equities, L.P., and Irsik Family Partnership, have still not yet appeared or filed answers to the Complaint, and Plaintiff has taken no further action in this case. Plaintiff has a duty to prosecute the case and may, for example, seek default judgment in accordance with the applicable rules, see NECivR [55.1](#)(c); Fed. R. Civ. P. 55(b),

voluntarily dismiss those defendants, or take other action as appropriate. Under the circumstances, Plaintiff must make a showing of good cause for failure to prosecute or this action will be dismissed as to Defendants, Brady C. Greenwaldt, Irsik Equities, L.P., and Irsik Family Partnership. Accordingly,

IT IS ORDERED: On or before **June 30, 2025**, Plaintiff must show cause why this case should not be dismissed as to Defendants, Brady C. Greenwaldt, Irsik Equities, L.P., and Irsik Family Partnership for failure to prosecute, or take some other appropriate action.

Dated this 9th day of June, 2025.

BY THE COURT:

s/Michael D. Nelson
United States Magistrate Judge